

## **REMARKS**

### **IN THE DRAWINGS**

Amend the drawings as shown on the attached amended drawings ("Replacement Sheets") pages 1-3 to include the numerals 67, 68 and 78 where indicated.

The drawings were objected to as not including the numerals 67 and 78 as mentioned in the Description. The drawings have been amended as shown on the attached amended drawings to include the numeral 67 for "catch means" in Figures 1 and 3 and to include the numeral 78 for "latch plate moving means" in Figures 1, 2, 5, and 6. Figure 3 has been amended to further include the numeral 68 for "catch" added clarity.

### **IN THE CLAIMS**

Amend the claims as shown on the attached FIRST AMENDMENT: CLAIMS: MARKED UP.

Reexamination and reconsideration of this application as amended is requested. By this amendment Claims 1, 7, 13, and 20 have been amended; claim 21 has been cancelled; and new claim 22 has been added. Claims 1-20 and 22 remain in the application.

The independent claim 1 has been amended for clarity to include "main" before "bolt" in line 30 and line 31.

By way of review, the present invention provides for a very shallow and strong safe and goes against a common practice of having the locking mechanism in the door of a safe. If the depth of the safe is limited, such as by location space, then a conventional locking mechanism in the door occupies much of the space available for the safe and limits the amount of storage space within the safe. The locking mechanism of the invention is entirely on the frame and not on the door such that no depth of the interior space is lost. Also, in this manner, the present invention allows the outer face of the door of the safe to be featureless so as to not look like a safe. Smaller safes, such as for the home, have very weak latch and lock mechanisms and can often be broken into by

cutting a single member or by defeating a single lock. The present invention provides for a large main bolt that engages the latch plate and that is locked by one or more locks.

The original claims 1, 3, 7, 9 were rejected as unpatentable in view of PECCOUX (5,503,440).

Claim 1 reads on PECCOUX thru line 28. There is room for confusion in that PECCOUX and the claimed invention use the same terms for non-analogous elements. Line 26, includes a “latch plate moving means 78” which is analogous to the “control means 6” of PECCOUX. From here the claimed invention differs from PECCOUX. In PECCOUX, the lock is mounted on the door and is used to lock the latch plate moving means (control means 6). In contrast, in claim 1 starting on line 29, the locking means includes a main bolt, mounted on the frame, not on the door. The main bolt, mounted to the frame, locks the latch plate. Also, in contrast, the claimed “first lock” is mounted to the frame, not to the door, and doesn’t lock the “latch plate moving means” as in PECCOUX, but, instead, locks the main bolt. Thus, as claimed, none of the locking means is or needs to be on the door.

PECCOUX describes an “auxiliary locking means” including a pin 50A, as seen in Figures 8C and 8D, that interacts with a door tongue. It does not operate in the manner of the claimed main bolt that engages the latch plate.

The invention of claim 1 is not obvious in view of PECCOUX as there is no teaching or suggestion of having a main bolt mounted to the frame for locking the latch plate or of having a first lock mounted to the frame for engaging the main bolt. Indeed, there is no incentive to do so.

The claimed structure is not shown in the references and is not obvious in view of the references since neither PECCOUX nor the other references, either alone or in combination, disclose or suggest such structure.

BLOOMQUIST ET AL (3,175,873) shows an enclosure having a latching mechanism somewhat similar to the claimed invention wherein the latch plate moving means includes a lever on the side of the door. However, there is no main bolt and first lock mounted to the frame as claimed.

The other references show the opening mechanism in the door.

In view of the amendment and remarks, Claim 1, as amended, is seen to be in condition for allowance and allowance is requested.

Claim 2, dependent upon claim 1 and previously found to contain allowable subject matter, is seen to be allowable and allowance is requested.

Claim 3 was rejected as unpatentable in view of PECCOUX (5,503,440).

Claim 3, dependent upon Claim 1, includes that “said latch plate moving means, said main bolt moving means, and said first lock actuation means act through said latch side wall.”

Claim 3 is not obvious in view of the references as none of the prior art, either alone or in combination, shows a safe with these features acting through the latch side wall of the frame, and none of the other references disclose or suggest a safe with such features, either alone or in combination.

Therefore, claim 3, reciting further patentable subject matter and being ultimately dependable upon claim 1, is also seen to be in condition for allowance and allowance is requested.

Claims 4-6, ultimately dependent upon claim 1 and previously found to contain allowable subject matter, are seen to be allowable and allowance is requested.

The independent claim 7 has been amended for clarity to include “main” before “bolt” in line 32 and line 33.

Independent claim 7, including all of the limitations of claim 1 and including further patentable subject matter, is seen to be allowable for the reasons cited with respect to claim 1 and allowance is requested.

Claim 8, dependent upon claim 7 and previously found to contain allowable subject matter, is seen to be allowable and allowance is requested.

Claim 9 was rejected as unpatentable in view of PECCOUX (5,503,440).

Claim 9, dependent upon Claim 7, includes that “said latch plate moving means, said main bolt moving means, and said first lock actuation means act through said latch side wall.”

Claim 9 is not obvious in view of the references as none of the prior art, either alone or in combination, shows a safe with these features acting through the latch side wall of the frame, and none of the other references disclose or suggest a safe with such features, either alone or in combination.

Therefore, claim 9, reciting further patentable subject matter and being ultimately dependable upon claim 1, is also seen to be in condition for allowance and allowance is requested.

Claims 10-12, ultimately dependent upon claim 7 and previously found to contain allowable subject matter, are seen to be allowable and allowance is requested.

The independent claim 13 has been amended on line 8 to change ~~for retention~~ to retained, and in line 17 to change ~~for securing~~ to securing.

The independent claim 13 has been amended for clarity to include “main” before “bolt” in line 37 and line 38.

Independent claim 13 is directed to the combination of the safe and a wall having studs.

Independent claim 13, including all of the limitations of claim 1 and including further patentable subject matter, is seen to be allowable for the reasons cited with respect to claim 1 and allowance is requested.

Claim 14 was rejected as unpatentable in view of PECCOUX (5,503,440).

Claim 14, dependent upon Claim 13, includes that “said latch plate moving means, said main bolt moving means, and said first lock actuation means act through said latch side wall.”

Claim 14 is not obvious in view of the references as none of the prior art, either alone or in combination, shows a safe with these features acting through the latch side wall of the frame, and none of the other references disclose or suggest a safe with such features, either alone or in combination.

Therefore, claim 14, reciting further patentable subject matter and being ultimately dependable upon claim 13, is also seen to be in condition for allowance and allowance is requested.

Claims 15-18, ultimately dependent upon claim 13 and previously found to contain allowable subject matter, are seen to be allowable and allowance is requested.

Claim 19, ultimately dependent upon claim 13 and containing further patentable subject matter, is seen to be allowable and allowance is requested.

Claim 20 has been amended to be dependent upon claim 13.

Claim 20, ultimately dependent upon claim 13 and containing further patentable subject matter, is seen to be allowable and allowance is requested.

Claim 21 has been cancelled.

New Claim 22, dependent upon claim 1, reads as follows:

“22. (new) The safe of Claim 1 wherein said first lock is a mechanical lock and said actuation means operates through said frame.”

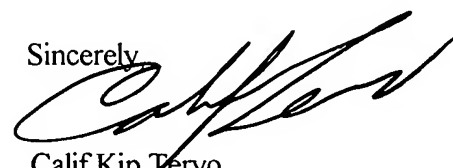
Support for claim 22 is founding the specification on page 9, lines 6-13 and is an expansion on claim 2 to include any mechanical lock, not just a key lock.

In view of the amendment and the remarks Claims 1-20 and 22 are seen to be in condition for allowance and allowance is requested.

The Examiner is requested to contact the undersigned if it will aid in the disposition of this application.

No additional fees are seen to be required.

Sincerely



Calif Kip Tervo  
Attorney for Applicant



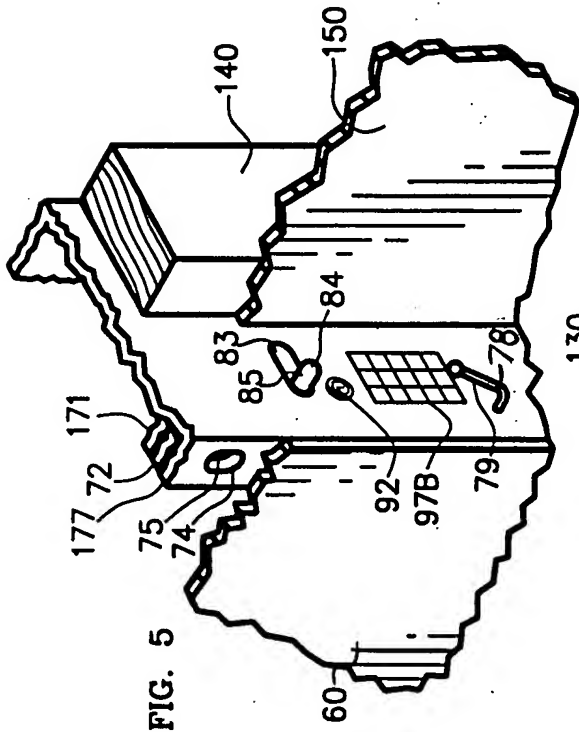


FIG. 5

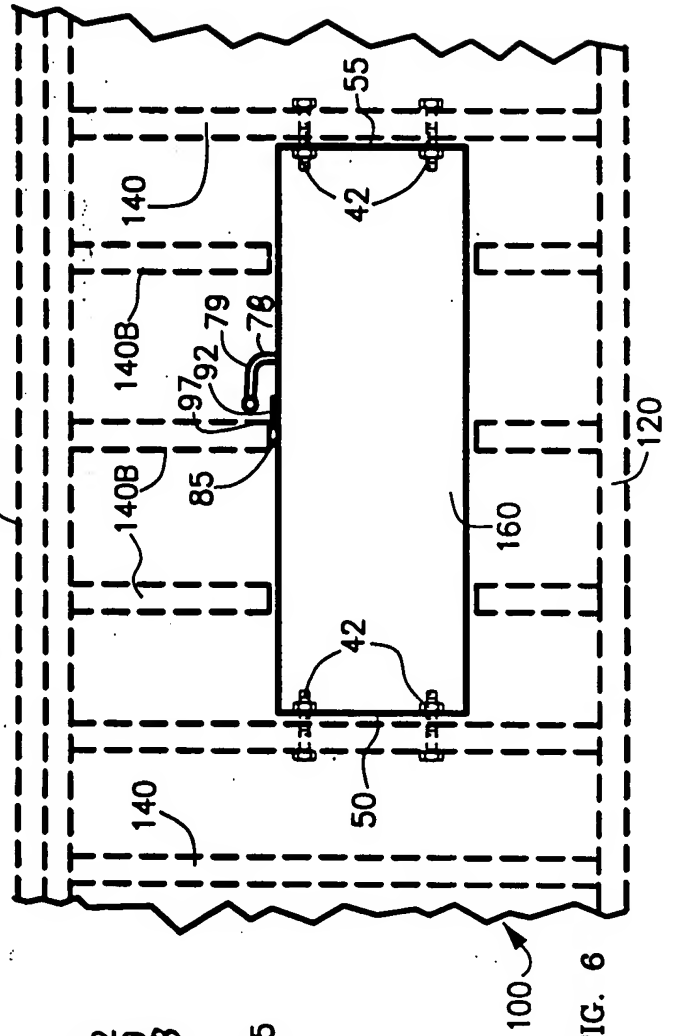


FIG. 6

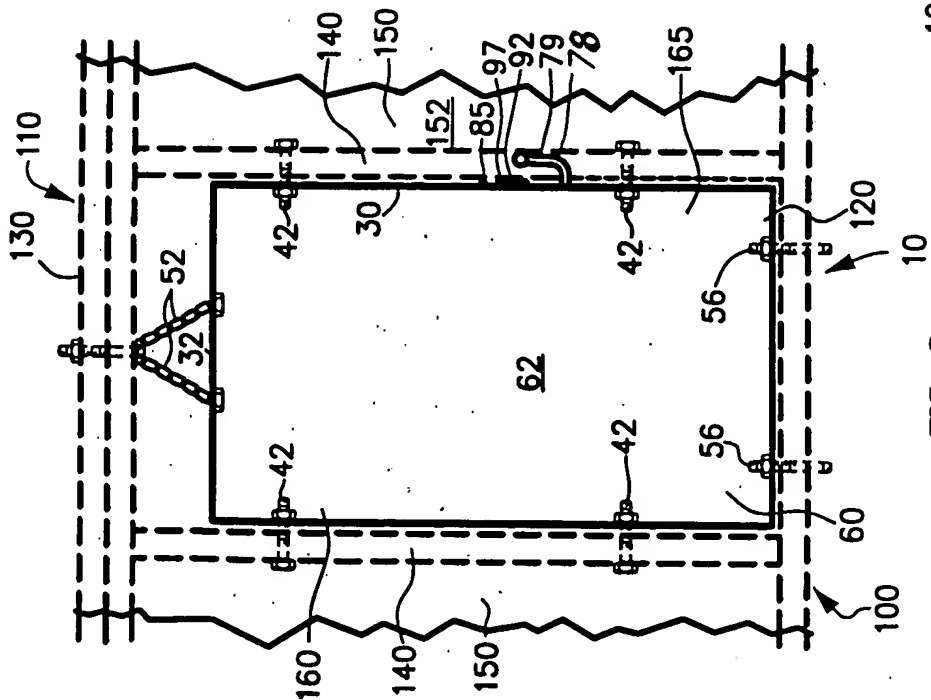


FIG. 2

